

Milwaukee County Personnel Review Board

Meeting Minutes – January 21, 2014

I. Roll Call

Board President Susan A. Lueger called to order the regular meeting of the Personnel Review Board at 9:00 AM on Tuesday, January 21, 2014 in Room 104-Conference Room of the Milwaukee County Courthouse.

The following Board Members were present: Ms. Susan A. Lueger, Ms. Jacqueline V. Russell, and Ms. Melissa D. Hudson.
Ms. Mary K. Bruno was excused.

II. Approval of Minutes

Ms. Hudson moved, Ms. Russell seconded and the Board, by vote of 3-0, approved the minutes of the January 7, 2014 meeting.

III. Communications and/or comments from the public, if any

The Board heard the report of Attorney Molly Zillig, Principal Assistant Corporation Counsel that the appointing authority for Paula Williams withdrew the charges for the 10-day suspension that was filed on 08/30/2013 and discharge that was filed on 01/02/2014. The appointing authority has filed a new discharge dated 01/16/2014 that is scheduled to be a first appearance before the Personnel Review Board on February 4, 2014. Attorney Zillig requested to reserve the March 4, 2014 hearing date if Ms. Williams chooses to waive her hearing date at the next meeting. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0) agreed to reserve the March 4, 2014 to hear the newly filed discharge of Paula J. Williams.

The Board heard the report of Robert Tuszynski, Interim Executive Director, Office of the Personnel Review Board that the Board received in regards to the Scott DuCharme matters, the Notice of Motion and Motion for Adjournment to hear at a later date the one-day suspension for IA #12-271 dated 09/13/12, the 60-day suspension for IA #12-283 dated 09/13/12 and the 10-day suspension for IA # 12-375 and only hear the discharge for IA #13-167 dated 08/08/13; along with the Response from Corporation Counsel of the Motion for Adjournment. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0) accepted the objection to adjourn the hearings scheduled for January 21, 2014 and will proceed with all cases as scheduled.

IV. Correspondence

None

V. First Appearances

A. DISCHARGES

PAULA WILLIAMS, Office Support Assistant 2, CHILD SUPPORT

DIS 2-4038 dated 01/02/14

The Board heard the report of Attorney Molly Zillig, Principal Assistant Corporation Counsel, that the appointing authority withdrew the charges for discharge of Paula Williams. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0), accepted the withdrawal of the charges and closed this case.

REBECCA SZALEWSKI, Paralegal, CHILD SUPPORT

DIS 2-4040 dated 01/02/14

The Board heard the request of Calvin Lee, Staff Representative for AFSCME District Council 48, to schedule the matter for hearing certain. Attorney Lee Jones, Principal Assistant Corporation counsel, legal counsel for the appointing authority, had no objections. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0), scheduled the matter for hearing certain on April 15, 2014.

DARLENE DALEY, Psychiatric Social Worker, BHD

DIS 2-4041 dated 01/02/14

The Board heard the request of Calvin Lee, Staff Representative for AFSCME District Council 48, that Ms. Daley had submitted her application for retirement effectively January 20, 2014. Ms. Russell moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), accepted the retirement of Darlene Daley and closed this case.

VULNAVIA SAXTON, Certified Nursing Assistant, BHD

DIS 2-4042 dated 01/02/14

The Board heard the request of Calvin Lee, Staff Representative for AFSCME District Council 48, to schedule the matter for hearing certain. Attorney Lee Jones, Principal Assistant Corporation counsel, legal counsel for the appointing authority, had no objections. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0), scheduled the matter for hearing certain on April 15, 2014.

VI. Update

A. DISCHARGE

MELVIN FINKLEY, Corrections Lieutenant, SHERIFF

DEM 3-4004 dated 10/16/13

The Board heard the report of Attorney Lee Jones, Principal Assistant Corporation counsel, legal counsel for the appointing authority that Mr. Finkley had resigned from County Service effective January 19, 2014. Ms. Russell moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), accepted the resignation of Melvin Finkley and closed this case.

BRITTNEY MASON-GORDON, Juvenile Correction Officer, DHHS

DIS 2-4020 dated 10/29/13

The Board heard the report of Attorney Lee Jones, Principal Assistant Corporation counsel, legal counsel for the appointing authority that the Human Resources Department has been working with Ms. Mason-Gordon to ensure that all back pay that is due to her, is paid. This matter can now be removed from the Board's agenda. Calvin Lee, Staff Representative, District Council 48, AFSCME, concurred. The Board took no action on this matter.

RICKY McCOY, Stores Clerk 3, ZOO

DIS 2-3963 dated 06/12/13

The Board heard the report of Attorney Molly Zillig, Principal Assistant Corporation Counsel that Mr. McCoy, who was present, did not agree with and did not sign the Last Chance Agreement. Attorney Zillig requested that the matter be placed for hearing certain on February 4, 2014. Calvin Lee, Staff Representative for District Council 48, AFSCME 48, concurred. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0), to schedule the Ricky McCoy matter for an hearing certain on Tuesday, February 4, 2014.

VII. Hearings

A. SUSPENSIONS & DISCHARGE

SCOTT DUCHARME, Deputy Sheriff 1, SHERIFF

DIS dated 08/08/13 for IA # 13-167

SUS dated 09/13/12 for IA # 12-271 for 1 day

SUS dated 09/13/12 for IA # 12-283 for 60 days

SUS dated 01/24/13 for IA # 12-375 for 10 days

(Refer to Agenda item VII B).

B. HEARINGS

The Board heard the Scott DuCharme 1-day suspension matter. At 10:57 a.m. Ms. Russell moved, Ms. Hudson seconded, and the Board voted (3-0) to go into closed session to deliberate the Scott DuCharme 1-day suspension matter. After deliberating in closed session, Ms. Hudson moved, Ms. Russell seconded, and the Board voted (3-0) to come out of closed session at 11:18 a.m.

The Board next heard the Scott DuCharme 60-day suspension matter. At 3:12 p.m. Ms. Hudson moved, Ms. Russell seconded, and the Board voted (3-0) to go into closed session to deliberate the Scott DuCharme 60-day suspension matter. After deliberating in closed session, Ms. Hudson moved, Ms. Russell seconded, and the Board voted (3-0) to come out of closed session at 3:46 p.m.

Due to time constraints, the remaining matters of Scott DuCharme (IA# 12-375 and IA #13-167) were adjourned until February 4, 2014.

SCOTT DUCHARME, Deputy Sheriff 1, SHERIFF

DIS dated 08/08/13 for IA # 13-167

SUS dated 09/13/12 for IA # 12-271 for 1 day

SUS dated 09/13/12 for IA # 12-283 for 60 days

SUS dated 01/24/13 for IA # 12-375 for 10 days

Ms. Hudson moved, Ms. Russell seconded, and the Board voted unanimously (3-0) that the evidence was sufficient that Mr. DuCharme (IA #12-271) violated Civil Service Rule VII, Section 4(1), paragraph (l) and Milwaukee County Sheriff's Office Rules 202.14, 202.15, 202.20, but that the evidence was not sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraph (b) and Milwaukee County Sheriff's Office Rule 202.29. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0) sustained the 1 day suspension.

Ms. Hudson moved, Ms. Russell seconded, and the Board voted unanimously (3-0) that the charges were well founded (IA #12-283) that Mr. DuCharme violated Civil Service Rule VII, Section 4(1), paragraph (l) and (ff) and Milwaukee County Sheriff's Office Rules 200.00, 202.07, 202.17, and 202.24. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (3-0) reduced the 60 day suspension to 20 days.

VIII. Adjournment

Ms. Russell moved, Ms. Hudson seconded, and the Board, by vote of 3-0, adjourned the meeting at 3:51 PM.

Minutes submitted by: Charmaine J. Gee, Administrative Assistant